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ADDENDUM NO (2) TWO
RFQ 17-UT-001
Progressive Design Build Services for Wastewater Treatment Plant 1 Improvement Project

October 20, 2016

Addendum Number (2) Two forms part of the contract documents and modifies them in the manner and extent set forth below.

ATTENTION CONTRACTORS

- *Clarification*
- *Questions and City Responses*

Clarification

As stated in the RFQ document, Exhibit C – Draft Progressive Design-Build Contract, is for redline purposes and is a template. The terms and conditions stipulated are not final and will be negotiated with the selected vendor.

Questions and City Responses

Question: To maximize participation by local subcontractors that have relevant experience with the City of Rio Rancho, we request the conveyance pipeline diameter requirement stated in *Section 6.3 – Construction Experience* of the RFQ be changed to greater than 10". Conveyance lines greater than 18" in diameter are uncommon in water and wastewater projects of this size. In addition, construction techniques for 10" and larger pipe diameters are identical to those of 18" and larger diameters.

City Response: The City will modify Section 6.3 Construction Experience to read: The Designer must have a minimum of three (3) completed conveyance projects with pipeline diameter at least 10 inches in diameter and 3 miles long during the same period.

Question: How will the City of Rio Rancho handle the RPR/ construction observation with this design build project? Will they be hired through the city or is it part of the design build team's scope of work?

City Response: The City will provide the RPR / construction observation through city staff and our Owner's Agent.

Question: What are the general requirements and process for the Proposal stage of the solicitation? Will there be a price component? Has the interview/confidential meeting format been established?

City Response: Please refer to Section 1 of the RFQ for the overall process for the procurement; please refer Section 4.3 of the RFQ for the schedule; please refer to section 6 of the RFQ for the selection requirement.

Question: The resumes in Appendix B are to include “similar experience as it relates to the Project within the last 5 years.” This requirement essentially normalizes a person with several years of experience compared to those who may only have a few. It does not allow a person to profile their full body of work experience they have gained over what could be decades of experience. Additionally, in some cases, if a person has only been on a few different projects over the last five years (which would not be uncommon), it does not allow the resume to fully reflect their work experience in its totality. Suggest eliminating the 5 year restriction. As an alternate, the project write-ups in each individual two-page resume could require a statement for what year(s) the work was performed.

City Response: The City will extend the design experience project completion deadline from 5 to 10 years to allow more local firms to meet the qualifications.

Question: In Section 5.3.5 Part 4 – Experience, for Reference Projects, the following information is required: Contract value for 1) the total installed cost of the project and 2) for the scope included in this description, if different. Does this mean cost for the original engineers estimate or GMP versus the final construction cost? Please clarify.

City Response:

- 1) Refers to the total capital value of the project, inclusive of engineering and construction costs.
- 2) Refers to the contract value for the scope of work performed by the Respondent.

Question: Will CH2M serve in a partnering facilitator role, or should the teams include a facilitator?

City Response: Yes, as our Owner’s Agent, CH2M will serve as facilitator for the workshops.

Question: Twelve point font is very large and given all that has to be addressed in the RFQ, can that be relaxed? Typical font size is 10. Can a smaller font be used for tables/figures?

City Response: A font size of 10 is acceptable for text, tables and figures.

Question: The 20 page limit on the SOQ page length is very short for a design-build submittal, particularly with the Minimum Requirements that must be met/profiled. Additionally, because design-build projects require identification of both design and construction personnel being proposed, the number of people that need to be profiled is greater than typical submittals. Suggest the page length be increased to 30.

City Response: The page limit will remain at 20 pages.

Question: Addendum No. One states that the City will extend the construction experience project completion deadline from 5 to 10 years. Does this 10 year deadline also apply to the engineering criteria?

City Response: The City will extend the design experience project completion deadline from 5 to 10 years to allow more local firms to meet the qualifications.

Question: Exhibit A, Definition of Terms:

Designer- Please clarify the definition of Designer includes multiple levels of sub consultants.

City Response: Per Exhibit A of the RFQ definition for *Designer - The Design-Builder or other firm (such as a sub-consultant or joint venture partner) that will provide professional design services and have responsible charge of the design, including preparation of the construction documents.*

Question: Section 6.3 Minimum Qualification Requirements

Design Experience. Will lower tier sub consultant design experience count towards the design experience under the minimum qualification requirements?

City Response: Per Exhibit A of the RFQ definition for *Designer - The Design-Builder or other firm (such as a sub-consultant or joint venture partner) that will provide professional design services and have responsible charge of the design, including preparation of the construction documents.*

Question: Addendum #1 addressed the Construction Experience requirements listed in Section 6.3 Minimum Qualification Requirements. Since the City extended the construction experience project completion deadline from 5 years to 10 years, will the City consider also extending the Key Personnel experience (Resumes) in Section 5.3.4 Part 3- Project Team from 5 years to 10 years as well?

City Response: The City will extend the design experience project completion deadline from 5 to 10 years to allow more local firms to meet the qualifications.

Question: The RFQ requires that both the designer and contractor submit “a minimum of three (3) completed water or wastewater treatment plants (W/WWTP)... and a minimum of three (3) completed conveyance projects...”, which can equal up to 12 projects total. Given the 20 page limit for the SOQ and the information required to be demonstrated for each project, as well as a summary table, will the City allow these reference projects to be included in an Appendix and not counted towards the 20-page limitation?

City Response: The City will not allow the projects in an appendix and the page limit will remain at 20, however the font size has been modified to 10.

Question: May we assume that materials included in Appendices A, C, D, and E are not included in the 20 total pages?

City Response: Correct

Question: How are the Appendix E – Preference Forms (if applicable) different from the Appendix A – Local/Area/Resident/Resident Veteran/Recycled Content Goods Preference Certification Forms?

City Response: Appendix A is for any Forms for Affirmation of Compliance; Exhibit F: Forms located on page 83 of the RFQ document explains the Preference Forms to be included in Appendix E of the SOQ Submission.

Question: The City's RFQ includes a requirement for Contractual Liability coverage of \$1,000,000. We are not aware of specific coverage called "contractual liability" which this implies. The policy contains standard ISO "insured contract" language as part of the basic coverage and as part of each occurrence limit. See also 2.1.7. There is no way to provide coverage for the entire indemnity as requested.

City Response: The draft contract, including the agreement and all of its attachments, substantially in the form attached as Exhibit C (Draft Progressive Design-Build Contract). The City expressly reserves the right unilaterally to change any provision or provisions of the Draft Progressive Design-Build Contract prior to or following issuance of the RFP. It was provided for redline comments to be submitted with RFQ submissions.

Question: CDM Smith does not purchase "Employment Practices Liability Insurance" which seems to be required under 2.1.4.

City Response: The draft contract, including the agreement and all of its attachments, substantially in the form attached as Exhibit C (Draft Progressive Design-Build Contract). The City expressly reserves the right unilaterally to change any provision or provisions of the Draft Progressive Design-Build Contract prior to or following issuance of the RFP. It was provided for redline comments to be submitted with RFQ submissions.

Question: Attachment B – Compensation, Section 2.2.1.1 – The GMP is defined in terms of the "Design-Builder's Fee" and "Cost of the Work" and "Design-Builder's Contingency", however, these terms do not appear to be defined in the Progressive Design-Build Agreement. How will the Design-Builder's Fee be calculated and/or negotiated?

City Response: The City will provide clarity to the shortlisted firms, the RFQ is requesting for qualifications only.

Question: Attachment B – Compensation, Section 2.2.4 – If owner rejects the Design-Builder's GMP and directs the Designer-builder to proceed under the cost reimbursement option, how will the new Design-Builder's Fixed Fee be calculated and memorialized?

City Response: If the City rejects the GMP, then the design-builder will be paid in full for Phase 1 Design & GMP Development. The City would assume ownership of the design completed to date. The City does not contemplate proceeding under a cost reimbursement arrangement.

Question: Attachment D-General Conditions, Section 2.11.2 – The term “Performance Standards” does not appear to be defined. Can the City provide a definition for inclusion in the contract?

City Response: Attachment F of the draft DBIA contract is not yet filled out. Elements except the Performance Tests (Project Scope, Design Criteria and Facility Performance Criteria) are addressed in Exhibit E of the RFQ. These will be further defined in the RFP.

Question: Will the selected Designer-Builder be responsible for quality control materials testing or will the City contract those services separately?

City Response: Materials testing for quality control purposes is the responsibility of the design-builder.

Question: Section 5.3.7 of the RFQ requests that offeror’s contract comments be provided as a “track changes markup of the draft (contract) in Exhibit C.” Will the City provide a Microsoft Word version of the contract to facilitate track-changes comments?

City Response: Yes, the MS Word document will be included in the addendum.

Question: Exhibit B (Scope of DB Services, Item 2) refers to incorporating drainage improvement design at the new WWTP 1 site to eliminate adjacent property flooding in the SSCAFCA Pond. Additionally, in Exhibit B (Scope of DB Services, Section 9.iii.3) also identifies “On-Site” drainage improvements based on prior design work. Will the scope include analysis and design work associated with the entire WWTP#1 site or just the areas impacted during the construction of the project? Also is the selected DB firm responsible for the verifying/stamping the design provided or will the original designer certify this design?

City Response: The scope will include analysis, design and construct of a new WWTP 1. The prior design work includes drainage improvements for the flooding of the cemetery at the existing WWTP 1 location. It is the DB firm’s responsibility to mitigate all drainage issues, pre-existing or new based on the layout of the WWTP 1 reconstruction. If deemed necessary, the DB firm is responsible for verifying and stamping design for all project components. The DB firm’s scope will include analysis and design work associated with the site civil and drainage areas impacted during the construction and operation of new WWTP 1 project. The DB firm will be responsible for taking responsible charge of all design. The prior design work is provided for information only.

Question: Is there sufficient primary power available to support the new and old plants during the transition from old to new?

City Response: The power requirements will vary depending on what the DB contractor proposes for the new process at the new WWTP1. During the RFP phase, the City will provide information regarding the power utilized by plant 1.

Question: Will Rio Rancho be providing construction and design subcontracts that accompany the proposed Water Design Build Council prime contract?

City Response: Additional contract information will be provided in the RFP for the shortlisted firms.

Question: The Request for Qualifications package includes information about preferences. Will these preferences be used on this procurement?

City Response: Yes

Question: Please change the experience deadline from 5 – 10 years for personnel like you did for Design-Builder project experience.

City Response: Yes, the experience deadline has been extended to 10 years.

Question: Please provide as-built drawings for the existing effluent pipeline.

City Response: City as-built drawings will be made available during RFP phase to the shortlisted firms. The City is providing these documents only for informational purpose and does not confer a license or grant for any other use. The Respondent shall not solely rely on the background information for project development. In addition, the City may not have all records for the existing facilities, and the information contained with any existing records may be incorrect or inadequate. It is the Respondent's responsibility to check the validity of all information provided.

Question: Please provide supporting documentation for the drainage drawings included in Exhibit 2.

City Response: City as-built drawings will be made available during RFP phase to the shortlisted firms. The City is providing these documents only for informational purpose and does not confer a license or grant for any other use. The Respondent shall not solely rely on the background information for project development. In addition, the City may not have all records for the existing facilities, and the information contained with any existing records may be incorrect or inadequate. It is the Respondent's responsibility to check the validity of all information provided.

Question: From 2.4 Community Engagement (Page 113 of RFQ)

The City will engage the community in the project planning process. The intent of public involvement is to help the community develop an understanding of the need for the project, the utility operational service levels required, and funding and revenue strategies to meet these requirements. The level of community engagement will depend on how the project is funded. If the project is funded through a Clean Water State Revolving Loan Fund (CWSRLF) which is administered through the New Mexico

Environment Department (NMED) Construction Programs Bureau (CPB), there are specific public involvement process that must be followed. A formal public hearing is required with proper notification through the local newspaper. The public hearing provides a platform to discuss the project and present the findings from the Preliminary Engineering Report and the Environmental Information Document

(EID). Comments from the public and stakeholders are received during the public hearing and after for a certain period of time. A formal transcript of the hearing is required. If the project is funded through bond funds, the community will be involved and engaged through meetings, public events, and updates through the City's website.

From 6.1.1 Non-Monetary Evaluation Criteria (Page 137 of RFQ)

Regulatory Compliance: This criterion addresses the City's ability to comply with applicable state and federal regulations pertaining to the plant effluent quality and disposal of residual solids. It also includes how the processes can be adapted to changes in regulatory requirements, land use changes, and public opinion.

Public Acceptance/Odor Considerations: This criterion is used to evaluate the potential odors from the wastewater treatment and solids processing facilities, assuming they are properly managed and operated. The new WWTP should be esthetically acceptable to the public and pose no health or safety risk to the public.

Has the community of Rio Rancho been engaged in the project planning process? What formal announcements have been made to the public? Can you provide a schedule of all upcoming formal hearings? Can you provide records of all meetings to date? What if public opinion is not favorable and the project is found not to be esthetically acceptable?

City Response: This funding for the Wastewater Treatment Plant 1 project is funded from the New Mexico Finance Authority Public Project Revolving Fund program. No formal public hearing is required for the Wastewater Treatment Plant 1.

Question: From 6.2 Summary of Alternative Comparison (Page 138 Of RFQ)

Table 6-2 provides a value ranking of the non-monetary and cost criteria for each alternative described and summarized previously. The rankings of each criterion are summed and the alternative that has the highest score is recommended. Both alternatives are considered very favorable in terms of regulatory compliance and ability to achieve the stringent effluent requirements that are required. Based on the location of the new facilities and the advanced treatment processes proposed, the public acceptance and odor control factors are considered favorable for both alternatives. Both alternatives are mid-range in rating for operational complexity because the advanced treatment processes can be more difficult for operators to use than conventional activated sludge processes, although Alternative 1 is considered slightly more favorable due to being more fully automated. Both alternatives are very favorable considering site efficiency, land issues, and constructability, with Alternative 1 slightly favored due to its smaller footprint. Both alternatives are considered reliable and include redundancies. Alternative 1 is ranked higher than Alternative 2 in terms of carbon footprint and sustainability because the MBR is a smaller footprint. Alternative 1 ranks more favorably than Alternative 2 on costs due to the additional capital costs associated with Alternative 2.

It is concerning but expected, that the advanced water treatment facility proposed will be difficult for operators to run. After all, this is one of only several throughout the county. What will the City do to

ensure that the operators are the best available? What will the City do to ensure operator competency?

City Response: The Advanced Water Treatment Facility is not part of the scope of work for the Wastewater Treatment Plant 1, therefore, this question is not pertinent to the procurement of Wastewater Treatment Plant 1.

Question: From Page 291 4th Paragraph of RFQ

Up to 1.0 million gallons per day (MGD) of advanced treated and disinfected reclaimed wastewater is directly injected into ground water to supplement regional aquifer recharge. Class 1 A reclaimed wastewater is obtained from the Rio Rancho re-use distribution system and further treated at the demonstration facility prior to injection. The on-site advanced water treatment system includes an ozone-based advanced oxidation process, multiple granular and biologically activated carbon units, followed by final disinfection using ultraviolet (UV) radiation and/or chlorine prior to direct injection. Discharge volumes will be greatest during the months of October through March when municipal and public demand for reclaimed wastewater is limited. The discharge may contain trace organic compounds, contaminants listed in Section 20.6.2.31 03 NMAC, and/or the presence of toxic pollutants as defined in Subsection WW of 20.6.2.7 NMAC

Some studies indicate that there is a low rate of removal in treated effluent for chemicals like: herbicides, an anti-seizure drugs, antibiotic drugs, antibacterial drug and an anti-inflammatory drug. Studies further show that antibiotics are showing up in effluent. Obviously, you don't want to have people ingest antibiotics regularly because it will promote resistance.

Since the plan is to utilize disinfected reclaimed wastewater and inject it into the aquifer, how effective is the system at removing prescription drugs and other newly emerging contaminants?

City Response: This question is not pertinent to the procurement of Wastewater Treatment Plant 1. Effluent discharge quality shall meet permit requirements as directed per EPA and the New Mexico Environment Department for current and any future transition.

Question: From Rio Rancho Direct Injection Aquifer Recharge Demonstration, DP-1650 Page 304

12. The permittee shall use a nine-month minimum residence time between the injection of recharge water and extraction of ground water by domestic and public supply wells within the area. The permittee can demonstrate the residence time through the particle tracking model used in the *Discharge Permit Application*. The permittee must maintain the minimum residence time requirement for the duration of all recharge operations.

[Subsections Band C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-S.D]

From Rio Rancho Direct Injection Aquifer Recharge Demonstration, DP-1650 Page 306

19. On an annual basis, the permittee shall verify the estimated average length of time that recharge water resides in the Middle Rio Grande aquifer, prior to recovery by the City of Rio Rancho public water supply wells. The updated average residence time estimation shall be reported to NMED in the *fifth year* of operation using the particle tracking model utilized in the *Discharge Permit Application*.

[20.6.2.31 09 NMAC, 20.6.2.5004 NMAC]

Monitoring Actions

What independent oversight will be provided to ensure that the nine-month minimum residence time between the injection of the recharge water and extraction of the ground water is met? What if the nine-month period is not met?

City Response: Independent oversight for the injected water is not part of the scope of work for the Wastewater Treatment Plant 1, therefore, this question is not pertinent to the procurement of Wastewater Treatment Plant 1.

Question: From Project Planning Page 110 of RFQ

The proposed project is not expected to have an adverse or disproportional impact on low income or minority populations. The project is being constructed at a site that already has a wastewater treatment facility. The project will have a beneficial impact on the planning area by providing better wastewater treatment facilities and by providing eventual treatment for the areas currently not being served. The eventual connection of the Unit 16E residential area will result in taking more than 1,400 homes currently on septic tanks and connecting them to the City's sewer system.

Have any public meetings been held or notices provided to the residents/homeowners in Unit 16E in regard to the conversion from septic to sewer? Who will pay for the septic system abandonment and plumbing to the street?

City Response: The future transition for septic tank to sewer for Unit 16 is not part of the scope of work for Wastewater Treatment Plant 1.

All other provisions of the Contract Documents shall remain unchanged. Each Offeror should ensure that they have received all addenda and amendments to this RFQ before submitting their proposal.